

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

Case No. 1:08-CV-907

v.

Hon. Robert J. Jonker

PEOPLEMARK, INC.,

Defendant.

ORDER GRANTING MOTION TO COMPEL

Pending before the court is defendant's motion to compel Rule 26(a)(1), FRCP disclosures and a complete response to defendant's first interrogatory (docket no. 22). For reasons more fully stated on the record at the hearing held this date, the motion is GRANTED as follows:

Plaintiff shall fully comply with its obligations under Rule 26(a)(1) and to defendant's first interrogatory not later than May 1, 2009, by furnishing names, contact information, and such other information as may be required by the Rule and/or the interrogatory concerning all persons it believes may be members of the Class, and shall periodically supplement this information from time to time pursuant to the rules. Rule 26(e).

IT IS FURTHER ORDERED that defendant be allowed to recover its reasonable expenses, including attorney's fees. Rule 37(a). If the parties cannot agree upon that amount within 7 days of the date of this order, defendant shall file, within 14 days of the date of this order, an affidavit and any supporting documents justifying the amount it believes to be its reasonable expenses and attorney's fees, and plaintiff shall, within 21 days of the date of this order, respond in

kind. The court will decide the issue of expenses on the papers, reserving the right to hold a further hearing if necessary.

IT IS SO ORDERED.

Dated: April 21, 2009

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge